

TRANSFER
TAX
PAID

Doc # 2004005795
Book 7849 Page 0173

SPECIAL WARRANTY DEED

44-22

KNOW ALL PERSONS BY THESE PRESENTS, THAT The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2) ("The Bank of New York"), a banking entity having a place of business c/o Fairbanks Capital Corporation, 394 So. Warminster Road, Hatboro, PA 19040-1811, in consideration of One Dollar (\$1.00) and other valuable consideration paid by Robert J. Magda and Mary L. Magda, with a mailing address of P.O. Box 100, N. Vassalboro, Maine 04962, the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever quitclaim with covenant unto the said Robert J. Magda and Mary L. Magda, as joint tenants, their heirs and assigns forever,

A certain lot or parcel of land situated in Waterville, County of Kennebec, State of Maine and bounded and described as follows:

Beginning at a stone monument in the southerly line of Western Avenue at the northeasterly corner of the homestead lot formerly of Selden E. Whitcomb; thence easterly along the southerly line of Western Avenue fifty-eight and five tenths (58.5) feet to an iron pin; thence southerly seventy-six and eight tenths (76.8) feet to an iron pin; thence westerly fifty-nine and one tenth (59.1) feet to an iron pin, thence northerly seventy-four and three tenths (74.3) feet to the point of beginning.

Also a right of way in common with others over a strip of land six (6) feet in width next easterly along the easterly side of the first parcel of land described in said deed from May I. Whitcomb to the said Lucie M. Grondon from Western Avenue to the southerly boundary of land hereby conveyed. Excepting and reserving to the said Mary I. Whitcomb, her heirs and assigns, a right of way in common with others over a strip of land six (6) feet in width lying next westerly of the easterly boundary of the first parcel above mentioned and extending from Western Avenue to the southerly boundary of the land hereby conveyed. Together with a right-of-way in common with others over a strip of land ten (10) feet in width lying northerly of land hereby conveyed and extending the whole length of said northerly line.

BEING the same premises conveyed to The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2), by Quitclaim Deed without Covenant dated 27 January, 2004 from The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2), and recorded in the Kennebec County Registry of Deeds in Book 7715, Page 276.

TO HAVE AND TO HOLD the same, together with all privileges and appurtenances

2) P. D. D. D.

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thereunto belonging, to the said Robert J. Magda and Mary L. Magda, their heirs and assigns forever.

IN WITNESS WHEREOF, The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2) has caused this instrument to be signed in its corporate name by
AVIVA BUSH, DOC. CONTROL OFFICER

Signed, Sealed and Delivered
in the Presence of:

The Bank of New York, Trust U/A dated
12/1/01 (EQCC Trust 2001-2)

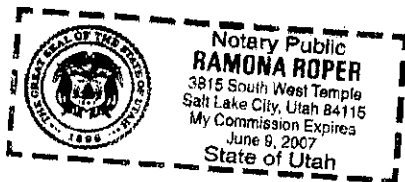
Deen Robertson

By: [Signature]
AVIVA BUSH, DOC. CONTROL OFFICER
Its: Fairbanks Capital Corp. as Attorney in Fact

STATE OF UTAH
SALT LAKE, ss.

January 27, 2004

Then personally appeared the above named AVIVA BUSH, DOC. CONTROL OFFICER,
The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2) as aforesaid, and
acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free
act and deed of The Bank of New York, Trust U/A dated 12/1/01 (EQCC Trust 2001-2).



Before me,

[Signature]
Attorney at Law/Notary Public

Printed Name: _____

My Commission Expires: _____

Received Kennebec SS.
03/04/2004 3:26PM
Pages 2 Attest:
BEVERLY BUSTIN-HATHENWAY
REGISTER OF DEEDS